

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

DAVID BOLTON

§

Plaintiff,

§

v.

NO. 2-08CV-209-J

LOUISVILLE LADDER, INC. f/k/a  
LOUISVILLE LADDER GROUP, LLC,

§

Defendants.

§

APPENDIX TO DEFENDANT, LOUISVILLE LADDER, INC.'S  
BRIEF IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

NOW INTO COURT, through undersigned counsel, comes Defendant, Louisville Ladder, Inc. ("Louisville Ladder") which respectfully submits this Appendix to the Defendant's Brief In Support Of Motion To Exclude The Tesimony Of Stanley Kiska. The Appendix contains Bates numbers 001 through 243 more fully described below:

Bates No. Range Description

001-043 Report of Plaintiff's Expert Stan Kiska

044 Photograph of manufacture date of subject ladder

045-128 ANSI A14.5-200 Standard

129-186 Deposition of Stan Kiska

187-196 Deposition of Mickey Bolton

197-204 Deposition of Keith Taylor

205-228 Deposition of David Bolton

229-234 Deposition testimony excerpts of Kiska in *Walker v. Louisville Ladder, Inc.*

Bates No. Range Description

235 Photograph of the subject ladder

236-239 Written Statements of Steve Meza, Terry Whittington and Corey Anglin

240-241 Deposition testimony excerpts of Mike Van Bree in *Bolton v. Louisville Ladder, Inc.*

242 DVD of Kiska video demonstration of April 2009. This exhibit is being forwarded to the Court and Plaintiff's counsel by overnight courier.

243 DVD of video deposition of David Bolton taken on February 3, 2009. This exhibit is being forwarded to the Court and Plaintiff's counsel by overnight courier.

Respectfully submitted:

/s/ Francis H. Brown, III, Esq.

Francis H. Brown, III

[fbrown@frilot.com](mailto:fbrown@frilot.com)

(Tx. Bar # 24026662; and La. Bar #16831)

Eugene Terk

[eterk@frilot.com](mailto:eterk@frilot.com)

(Tx. Bar # 24028037; and La. Bar #28834)

FRILLOT L.L.C.

1100 Poydras Street, Suite 3600

New Orleans, LA 70163-3600

Telephone: (504) 599-8012

Facsimile: (504) 599-8112

- and -

RUSSELL J. BAILEY (Tx. Bar #01536500 )

COURTNEY, COUNTISS, BRIAN & BAILEY, LLP

1700 Chase Tower (79101)

P.O. Box 9238

Amarillo, TX 79105-9238

Telephone: (806) 372-5569 ex. 304

Facsimile: (806) 372-9761

[rbailey@courtneylawfirm.com](mailto:rbailey@courtneylawfirm.com)

**COUNSEL FOR DEFENDANT,  
LOUISVILLE LADDER, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2009 I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following:

John G. Turner, III  
Mullin Hoard & Brown, L.L.P.  
P.O. Box 31656  
Amarillo, Texas 79120-1656

*Counsel for Plaintiffs*

*/s/ Francis H. Brown, III*

Francis H. Brown, III

I also hereby certify that on July 9, 2009 I have served a copy of the foregoing pleading on counsel for all parties to this proceeding by placing the same in the United States Mail, properly addressed and first-class postage prepaid as follows:

John G. Turner, III  
Mullin Hoard & Brown, L.L.P.  
P.O. Box 31656  
Amarillo, Texas 79120-1656

*Counsel for Plaintiffs*

*/s/ Francis H. Brown, III*

Francis H. Brown, III